

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION

In re:)	Chapter 11
)	
FIBRANT, LLC, <i>et al.</i> , ¹)	Case No. 18-10274 (SDB)
)	
)	
Debtors.)	Jointly Administered

SUPPLEMENTAL CERTIFICATE OF SERVICE

1. I, Jeffrey R. Miller, depose and say that I am employed by Kurtzman Carson Consultants LLC (“KCC”), the claims and noticing agent for the Debtor in the above-captioned case. I submit this certificate in connection with the service of the solicitation materials (the “Solicitation Package(s)”) for the *Amended and Restated Plan of Liquidation for Fibrant, LLC, et al., Dated February 13, 2019* [Docket No. 600] (the “**Plan**”). I am over the age of 18 and not a party to this action. Except as otherwise noted, I could and would testify to the following based upon my personal knowledge.

2. On March 8, 2018, the Court entered the *Order Authorizing Retention of Kurtzman Carson Consultants, LLC as Claims, Noticing and Balloting Agent for the Debtors* [Docket No. 110] designating KCC as the Balloting Agent.

3. Consistent with its retention as Balloting Agent, KCC is charged with, among other things, the duty of printing and distributing Solicitation Packages to creditors and other interested parties pursuant to the *Order Approving: (I) the Disclosure Statement with Respect to Amended and Restated Plan of Liquidation; (II) Procedures for the Solicitation and Tabulation of Votes to Accept or Reject the Plan; and (III) Related Notice and Objection Procedures* [Docket No. 604] (the “**Disclosure Statement Approval Order**”), as entered by the Court on February 14, 2019.

4. The Solicitation Package consists of the following documents:

- a. Flash Drive (the “**USB Flash Drive**”) containing the following documents:
 - i. the Plan [Docket No. 600];
 - ii. *Disclosure Statement for Amended and Restated Plan of Liquidation Filed by Fibrant, LLC, et al., Dated February 13, 2019* [Docket No. 601] (the “**Disclosure Statement**”); and

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number (if any), are: Fibrant, LLC (6694); Evergreen Nylon Recycling, LLC (7625); Fibrant Center South, LLC (8270); and Georgia Monomers Company, LLC (0042).



- iii. the Disclosure Statement Approval Order (without exhibits) [Docket No. 604].
- b. the cover letter (the “**Letter**”) attached hereto as **Exhibit A**;
- c. the letter from the Official Committee of Unsecured Creditors (the “**Committee Letter**”), attached hereto as **Exhibit B**;
- d. the *Notice of (A) Entry of Order Approving Disclosure Statement and Solicitation Procedures; (B) Deadline for Casting Votes to Accept or Reject Chapter 11 Plan; (C) Hearing to Consider Confirmation of Chapter 11 Plan and (D) Related Matters* (the “**Confirmation Hearing Notice**”) (substantively in the form attached as **Exhibit 3** to the Disclosure Statement Approval Order); and
- e. *Ballot for Class 4 General Unsecured Claims Voting to Accept or Reject the Amended and Restated Plan of Liquidation for Fibrant, LLC, et al., Dated February 13, 2019* (the “**Class 4 Ballot**”) [General Unsecured Claims] (substantively in the form attached as **Exhibit 2B** to the Disclosure Statement Approval Order); and
- f. a Pre-addressed, postage pre-paid return envelope (the “**Return Envelope**”).

5. On March 11, 2019, at my direction and under my supervision, employees of KCC caused the Class 4 Ballot, Letter, Committee Letter, USB flash drive, the Confirmation Hearing Notice, and Return Envelope to be served via First Class Mail on the service list attached hereto as **Exhibit C**.

Dated: March 14, 2019

/s/ Jeffrey R. Miller

Jeffrey R. Miller
KCC
2335 Alaska Avenue
El Segundo, CA 90245

EXHIBIT A



February 14, 2019

To: The Creditors of Fibrant, LLC, Evergreen Nylon Recycling, LLC, Fibrant South Center, LLC, and Georgia Monomers Company, LLC (together, the “Debtors”)

You have received this letter because the Debtors currently believe you are entitled to vote on the *Amended and Restated Plan of Liquidation for Fibrant, LLC* dated February 13, 2019 (as may be amended from time to time, the “Plan”).

In addition to this letter, you have received the enclosed materials (collectively, the “Solicitation Package”), which the Bankruptcy Court approved for distribution to the Holders of Claims in Classes 3 and 4 in connection with the solicitation of votes to accept or reject the Plan. This Solicitation Package consists of the following:

1. The Approval Order (without exhibits);
2. A letter of support from the Official Committee of Unsecured Creditors (Class 4 only);
3. The Confirmation Hearing Notice;
4. An appropriate form of Ballot for voting on the Plan;
5. A pre-addressed postage paid return envelope for your Ballot; and
6. The Disclosure Statement Amended and Restated Plan of Liquidation Filed by Fibrant, LLC (together with the Plan annexed thereto) (the “Disclosure Statement”).

The materials in the Solicitation Package are intended to be self-explanatory. All Solicitation Package materials (excluding the Ballot) are can be viewed at: <http://www.kccllc.net/Fibrant>. If you would like additional paper copies of any of the Solicitation Package materials (excluding the Ballot), you may call Kurtzman Carson Consultants, LLC (“KCC”), at (888) 647-1715 (U.S./Canada) or (310) 751-2619 (international) or request copies in writing at: KCC, Attn: Fibrant Ballot Processing, 2335 Alaska Avenue, El Segundo, California 90245.

Please be advised that KCC, as Voting Agent, is authorized to provide additional copies of solicitation materials but may not provide legal advice and cannot advise you as to whether you should vote to accept or reject the Plan.

EXHIBIT B

February 14, 2019

To: All Unsecured Creditors of *Fibrant, LLC, et al.*

Re: Plan of Reorganization of *Fibrant, LLC, et al.*
U.S. Bankruptcy Court, Southern District of Georgia
Case No. 18-10274 (SDB)

Dear Creditors:

We write on behalf of the Official Committee of Unsecured Creditors (the “Committee”) of *Fibrant, LLC, et al.*, the debtors in the above-referenced bankruptcy cases (the “Debtors”). On March 16, 2018, the United States Trustee appointed the Committee pursuant to Section 1102(a) of the Bankruptcy Code. The members of the Committee are: Chevron Phillips Chemical Company LP, Linde, Inc., Chemtrade Chemicals US LLC, GATX Corporation, and Veenschoten & Company, Inc. With Court approval, the Committee retained Lowenstein Sandler LLP as its legal counsel and GlassRatner Advisory & Capital Group LLC as its financial advisor.

On February 14, 2019, the Bankruptcy Court entered an order approving the Debtors’ Disclosure Statement (the “Disclosure Statement”) with respect to the Debtors’ Amended and Restated Plan of Liquidation for *Fibrant, LLC, et al.*, dated February 13, 2019 (as amended, the “Plan”),¹ and authorizing the Debtors to solicit votes on the Plan. **With certain exceptions, the Plan can only be approved by the Bankruptcy Court if it is approved by more than one-half in number and more than two-thirds in dollar amount of claims voting on the Plan.**

You should review the Plan and related Disclosure Statement carefully. The Plan is the product of significant and extensive arms-length discussions and negotiations among the Committee, the Debtors and the ChemicalInvest Parties. **The Committee recommends that all general unsecured creditors vote to accept the Plan.**²

The Plan provides for the release and waiver of all avoidance actions (including preference claims) against all trade vendors and non-insiders of the Debtors (other than any DSM Entity), and the distribution of “GUC Funds” to general unsecured creditors. “GUC Funds”, which will be distributed pro rata to holders of allowed general unsecured claims, will be comprised of: (a) Estate Cash (cash held by the Debtors after payment in full of all Allowed Claims in Class 1 and Class 2 and all Administrative Expense Claims and Allowed Tax Claims, and after reserving an appropriate amount of funds for the purposes of funding the administration of the Plan); (b) a one-time payment by the ChemicalInvest Parties of \$2.5 million (the “Estate Payment”), subject to reduction if the sum of the Estate Cash and Estate Payment exceed \$6 million; and (c) if the aggregate amount of Estate Cash and the Estate Payment on the Effective Date of the Plan is less than \$6 million, a percentage of the proceeds of certain causes of action to be pursued and funded by the ChemicalInvest Parties until the

¹ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Plan.

² Statements by the Committee do not reflect the position of any individual member thereof. Each Committee member in its individual capacity reserves the right to oppose confirmation of the Plan.

GUC Funds reach an aggregate of \$7 million. Attached to the Plan as Schedule 1 is a list of general unsecured claims which the Debtors (after consulting with the Committee) have determined should be allowed pursuant to the Plan.

As set forth in the Disclosure Statement, the Debtors project the range of GUC Funds to run from a low of approximately \$4.8 million (Estate Payment of \$2.5 million plus Estate Cash of \$2.3 million) to a maximum of \$7 million. Further, the Disclosure Statement projects that, depending on the amount of claims filed with the Bankruptcy Court and the outcome of claims objections, allowed unsecured claims will range between \$38,078,195 and \$39,100,000. Therefore, based on the projections set forth in the Disclosure Statement, the Debtors currently estimate that the aggregate distributions to holders of general unsecured claims will be between 12.3% and 18.4%.³ The foregoing current projected recoveries to general unsecured creditors are only estimates based on various assumptions and projections set forth in the Disclosure Statement, and the actual distributions paid to unsecured creditors may be more or less than projected based on actual claims allowed, the actual amount of “GUC Funds” available and other risk factors set forth in the Disclosure Statement.

Based on the foregoing and under the circumstances, the Committee believes the Plan provides the best possible outcome for general unsecured creditors in these chapter 11 cases. **Accordingly, the Committee strongly recommends that all general unsecured creditors vote to accept the Plan.**

The Voting Deadline is **April 5, 2019 at 5:00 p.m.** (prevailing Eastern Time). Please complete and submit your ballot in accordance with the instructions contained in the solicitation package so that your ballot is received no later than the Voting Deadline.

If you have any questions regarding this matter, please do not hesitate to contact the undersigned professionals for the Committee.

[Signatures / Contact Information Follows]

³ These estimated recovery percentages were calculated by: (i) for the low estimate, dividing the Debtors’ projected low recovery of \$4.8 million into the Debtors’ high projection of \$39,100,000 in allowed general unsecured claims, and (ii) for the high estimate, by dividing the Debtors’ projected high recovery of \$7 million into the Debtors’ minimum projection of \$38,078,195 in allowed general unsecured claims.

Official Committee of Unsecured Creditors of
Fibrant, LLC, *et al.*

By its counsel: /s/ Jeffrey D. Prol
Jeffrey D. Prol, Esq.

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- and -

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EXHIBIT C

Exhibit C

Class 4 - General Unsecured Claim
Served via First Class Mail

CreditorName	CreditorNoticeName	Address1	City	State	Zip
American Express Travel Related Services Company, Inc.	Becket and Lee LLP	PO Box 3001	Malvern	PA	19355-0701